

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

FEB 19 2004
PATENT & TRADEMARK OFFICE
Request
for
Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/495,105
Filing Date	February 1, 2000
First Named Inventor	Graham B. McCloy et al.
Art Unit	2875
Examiner Name	Thomas M. Sember
Attorney Docket Number	SCH-00026

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. Other Please do not consider the previously submitted Amendment in Response to Decision on Appeal filed on October 24, 2003.

b. Enclosed

i. <input checked="" type="checkbox"/> Amendment/Reply	iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
ii. <input type="checkbox"/> Affidavit(s)/ Declaration(s)	iv. <input checked="" type="checkbox"/> Other <u>Alternate Amendment and Petition</u>

2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

- a. period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. Deposit Account No. 501612 (Wam, Burgess & Hoffmann, P.C.)

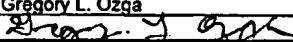
- i. RCE fee required under 37 CFR 1.17(e)
- ii. Extension of time fee (37 CFR 1.136 and 1.17)
- iii. Other Petition to Revive (Unintentional) - \$1,330.00

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

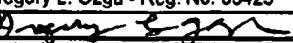
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gregory L. Ozga	Registration No. (Attorney/Agent)	53425
Signature		Date	February 13, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Gregory L. Ozga - Reg. No. 53425	Date	February 13, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/12/2004 WABRHAM1 00000001 501612 09495105
01 FC:1453 1330.00 DA

Adjustment date: 06/04/2004 EEKUBAY1
03/12/2004 WABRHAM1 00000001 501612 09495105
01 FC:1453 1330.00 CR

LAW OFFICES

WARN, BURGESS & HOFFMANN, P.C.Intellectual Property Matters
PATENTS, TRADEMARKS AND COPYRIGHTS

Joseph G. Burgess
Richard W. Hoffmann
Douglas P. LaLone
Jeanne-Marie Marshall
John K. McCulloch
John A. Miller
Gregory L. Ozga
Preston H. Smirman
Philip R. Warn

691 North Squirrel Road – Suite 140
Auburn Hills, Michigan 48326

www.wbhiplaw.com

Telephone: (248) 364-4300
Facsimile: (248) 364-4285

Saginaw Office
5291 Colony Drive North
Saginaw, Michigan 48603
Telephone: (989) 792-2500
Facsimile: (989) 792-2535

F A X M E S S A G E**Number of Pages: 3**

(Please let us know by phone or fax if you do not receive any of these pages)

Date: May 4, 2004

* * * * *

To: USPTO Deposit Account Department - ATTN: REFUNDS

Company: U.S. Patent & Trademark Office

Fax Number: (703) 308-6778

From: Philip R. Warn

* * * * *

REQUEST FOR REFUND

To follow is a copy of our March 2004 Deposit Account Statement for USPTO Deposit Account No. 501612, in which we believe there is an error.

On February 13, 2004 we filed a Petition to Revive and a Request for Continued Examination. As shown by the attached Fee Transmittal, we requested the fees be withdrawn from our Deposit Account, in the amount of \$1,330.00 for the Petition to Revive and \$770.00 for the Request for Continued Examination. However, according to the attached Deposit Account Statement, \$1,330.00 was withdrawn twice, and \$770.00 was never withdrawn.

Please let me know if you have any questions regarding this matter and how or when this can be corrected. Thank you very much for your assistance in this regard.

NOTICE:

This facsimile transmission and all contents contain information from Warn, Burgess & Hoffmann, P.C., which is privileged, confidential or otherwise protected from disclosure. The information is intended for the addressee(s) only. If you are not the addressee, any disclosure, copy, distribution or use of the contents of this message is prohibited. If you have received this facsimile transmission in error, please notify us immediately and destroy the original message and all copies.

1ST AVAILABLE COPY

05/04/04 TUE 13:35 [TX/RX NO 7849] 001



United States
Patent and
Trademark Office

BEST AVAILABLE COPY

Return To:
USPTO Home Page
Finance Online Shopping Page

Deposit Account Statement

Requested Statement Month: March 2004
Deposit Account Number: 501812
Name: WARN, BURGESS & HOFFMANN, P.C.
Attention: PHILIP R. WARN
Address: 691 NORTH SQUIRREL ROAD
City: AUBURN HILLS
State: MI
Zip: 48326

ERROR {

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
03/03	108	60548510	DKT 04021 (BWI-00103	1005	\$160.00	\$3,251.00
03/04	31	10789540	DKT 03068A (BWI-00084)	1202	\$18.00	\$3,233.00
03/10	125	09495105	SCH-00026	1453	\$1,330.00	\$1,903.00
03/12	1	09495105	SCH-00026	1453	\$1,330.00	\$573.00
03/24	1	PCT/US04/02090	POL-00011-PCA	8007	\$20.00	\$553.00
03/24	3	PHILIP R. WARN		9204	-\$147.00	\$700.00
03/24	5	PCT/US04/02090	POL-00011-PCA	1602	\$700.00	\$0.00
03/24	75	PCT/US03/21771		9204	-\$33.00	\$33.00
03/24	76	PCT/US03/21771		9204	-\$20.00	\$53.00
03/31	270	SERVICE CHARGE		9202	\$25.00	\$28.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$3,411.00	\$3,583.00	\$200.00	\$28.00

Need Help? | Return to USPTO Home Page | Return to Finance Online Shopping

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2,100.00)

Complete if Known

Application Number	09/495,105
Filing Date	February 1, 2000
First Named Inventor	Graham B. McCloy et al.
Examiner Name	Thomas M. Sember
Art Unit	2875
Attorney Docket No.	SCH-00026

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number 501612
Deposit Account Name Warn, Burgess & Hoffmann, P.C.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	85	Surcharge - late filing fee or cash	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	820*	1804	820*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	865	Petition to revive - unintentional	1,330.00
1501	1,330	2501	865	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	770.00
1802	900	1802	900	Request for expedited examination of a design application	

SUBTOTAL (1) (\$ 0.00)

*or number previously paid, if greater. For Reissues, see above

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 2,100.00)

(Complete if applicable)

Name (Print/Type)	Gregory L. Ozga	Registration No. (Attorney/Agent)	53425	Telephone	(248) 364-4300
Signature	Gregory L. Ozga			Date	February 13, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ST AVAILABLE COPY